



PATENT  
Q137-US7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
SKINLO, David M.  
Serial No: 10/665,440  
Filed: September 17, 2003  
For: ELECTRIC STORAGE BATTERY  
CONSTRUCTION AND METHOD OF  
MANUFACTURE

Art Unit: 1745  
Examiner: N/A

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Name

 5/7/04

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Date

**TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sirs:

- The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
- The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).
- Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number \_\_\_. A copy of this petition is enclosed.

3.  The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
- Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00), and charge any insufficiency or credit any overpayment, to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921, referencing docket number \_\_\_. A copy of this petition is enclosed.

4. The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) [37 C.F.R. § 1.97(h)]. Further, applicants make no admission that all references presented here are prior art in relation to the present application.

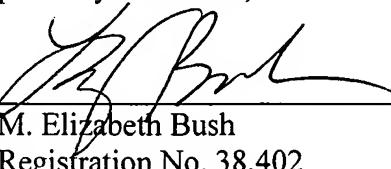
5. If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to the credit card identified on Form PTO 2038 submitted herewith. If for any reason the credit card so identified is refused, please charge the necessary amount to Deposit Account No. 50-0921. **A copy of this petition is enclosed.**
6. A list of 111 reference(s) is in the enclosed Form PTO-1449. 28 reference(s) are enclosed.
  - Pursuant to 37 C.F.R. § 1.98(d), a copy / copies of some of the listed reference(s) is / are not provided since it is / they are of record in parent application Serial No.        filed       , the benefit of the filing date of which is claimed herein under 35 U.S.C. § 120.
  - The instant application having been filed after June 30, 2003, copies of U.S. references are omitted pursuant to 1276 Off. Gaz. Pat. Off. 55, 8/5/2003: "The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b)."

NON-ENGLISH LANGUAGE REFERENCES

- Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- The specification incorporates comments on the relevancy of Non-English language references.
- Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

[COMMENTS OF APPLICANT'S HOME COUNTRY COUNSEL]

Respectfully submitted,

By: 

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Date: May 7, 2004

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## Express Mail Label No. [EXPRESS MAIL LABEL NO.]

Substitute for form 1449A/PTO				<u>Complete if Known</u>	
				Application Number	[serial #]
				Filing Date	[filing date]
				First Named Inventor	[inventor(s)]
				Art Unit	[art unit]
				Examiner Name	[examiner]
Sheet	1	of	4	Attorney Docket number	[docket #]

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Examiner Signature		Date Considered	
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## Express Mail Label No. [EXPRESS MAIL LABEL NO.]

<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)</p>				<u>Complete if Known</u>																																																																																																																												
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>US-6,180,285 B1</td><td>01-30-2001</td><td>Yoshida et al.</td></tr> <tr><td>US-6,190,803</td><td>02-20-2001</td><td>Tomiyama et al.</td></tr> <tr><td>US-6,225,007</td><td>05-01-2001</td><td>Horne et al.</td></tr> <tr><td>US-6,225,007 B1</td><td>05-01-2001</td><td>Horne et al.</td></tr> <tr><td>US-6,228,536</td><td>05-08-2001</td><td>Wasynczuk</td></tr> <tr><td>US-6,242,129 B1</td><td>06-05-2001</td><td>Johnson</td></tr> <tr><td>US-6,245,452 B1</td><td>06-12-2001</td><td>Oltman</td></tr> <tr><td>US-6,265,099 B1</td><td>07-24-2001</td><td>Gauthier et al.</td></tr> <tr><td>US-2001/0031398 A1</td><td>10-18-2001</td><td>Hashimoto et al.</td></tr> <tr><td>US-2001/0033972 A1</td><td>10-25-2001</td><td>Kawai et al.</td></tr> <tr><td>US-6,319,627 B1</td><td>11-20-2001</td><td>Snyder et al.</td></tr> <tr><td>US-2001/0044047 A1</td><td>11-22-2001</td><td>Gan et al.</td></tr> <tr><td>US-2002/0004161 A1</td><td>01-10-2002</td><td>Yamaguchi</td></tr> <tr><td>US-6,348,282 B1</td><td>02-19-2002</td><td>Okochi et al.</td></tr> <tr><td>US-2002-0076605 A1</td><td>06-20-2002</td><td>Akashi et al.</td></tr> <tr><td>US-6,410,187 B1</td><td>06-25-2002</td><td>Luo et al.</td></tr> <tr><td>US-6,410,180 B1</td><td>06-25-2002</td><td>Yamada et al.</td></tr> <tr><td>US-6,458,490 B1</td><td>10-01-2002</td><td>Hommura et al.</td></tr> <tr><td>US-2002/0146626 A1</td><td>10-10-2002</td><td>Komatsu et al.</td></tr> <tr><td>US-2002/0187399 A1</td><td>12-12-2002</td><td>Johnson et al.</td></tr> <tr><td>US-6,503,646 B1</td><td>01-07-2003</td><td>Ghantous et al.</td></tr> <tr><td>US-6,503,657 B1</td><td>01-07-2003</td><td>Takami et al.</td></tr> <tr><td>US-6,506,514 B1</td><td>01-14-2003</td><td>Endo et al.</td></tr> <tr><td>US-2003/0089889 A1</td><td>02-27-2003</td><td>Park et al.</td></tr> <tr><td>US-2003/0104282 A1</td><td>06-05-2003</td><td>Xing et al.</td></tr> <tr><td>US-6,576,365 B1</td><td>06-10-2003</td><td>Meitav et al.</td></tr> <tr><td>US-2003/0113628 A1</td><td>06-19-2003</td><td>Paulot et al.</td></tr> <tr><td>US-2003/0134191 A1</td><td>07-17-2003</td><td>Buckle et al.</td></tr> <tr><td>US-2003/138697 A1</td><td>07-24-2003</td><td>Leising et al.</td></tr> <tr><td>US-2003/0198868 A1</td><td>10-23-2003</td><td>Takeuchi et al.</td></tr> <tr><td>US-6,641,953 B2</td><td>11-03-2003</td><td>Takeuchi et al.</td></tr> <tr><td>US-6,667-132 B2</td><td>12-23-2003</td><td>Okochi et al.</td></tr> <tr><td>US-2004/029005 A1</td><td>02-12-2004</td><td>Leising et al.</td></tr> <tr><td>US-2004/0048148 A1</td><td>03-11-2004</td><td>Skinlo</td></tr> <tr><td>US-2004/0053116 A1</td><td>03-18-2004</td><td>Skinlo</td></tr> <tr><td>US-2004/0053119 A1</td><td>03-18-2004</td><td>Tsukamoto et al.</td></tr> <tr><td>US-2004/0053118 A1</td><td>03-18-2004</td><td>Tsukamoto et al.</td></tr> <tr><td>US-2004/0053117 A1</td><td>03-18-2004</td><td>Tsukamoto et al.</td></tr> <tr><td>US-2004/0049908 A1</td><td>03-18-2004</td><td>Tsukamoto et al.</td></tr> <tr><td>US-2004/0055146 A1</td><td>03-25-2004</td><td>Tsukamoto et al.</td></tr> <tr><td>US-2004/0058236 A1</td><td>03-25-2004</td><td>Tsukamoto et al.</td></tr> </table>						US-6,180,285 B1	01-30-2001	Yoshida et al.	US-6,190,803	02-20-2001	Tomiyama et al.	US-6,225,007	05-01-2001	Horne et al.	US-6,225,007 B1	05-01-2001	Horne et al.	US-6,228,536	05-08-2001	Wasynczuk	US-6,242,129 B1	06-05-2001	Johnson	US-6,245,452 B1	06-12-2001	Oltman	US-6,265,099 B1	07-24-2001	Gauthier et al.	US-2001/0031398 A1	10-18-2001	Hashimoto et al.	US-2001/0033972 A1	10-25-2001	Kawai et al.	US-6,319,627 B1	11-20-2001	Snyder et al.	US-2001/0044047 A1	11-22-2001	Gan et al.	US-2002/0004161 A1	01-10-2002	Yamaguchi	US-6,348,282 B1	02-19-2002	Okochi et al.	US-2002-0076605 A1	06-20-2002	Akashi et al.	US-6,410,187 B1	06-25-2002	Luo et al.	US-6,410,180 B1	06-25-2002	Yamada et al.	US-6,458,490 B1	10-01-2002	Hommura et al.	US-2002/0146626 A1	10-10-2002	Komatsu et al.	US-2002/0187399 A1	12-12-2002	Johnson et al.	US-6,503,646 B1	01-07-2003	Ghantous et al.	US-6,503,657 B1	01-07-2003	Takami et al.	US-6,506,514 B1	01-14-2003	Endo et al.	US-2003/0089889 A1	02-27-2003	Park et al.	US-2003/0104282 A1	06-05-2003	Xing et al.	US-6,576,365 B1	06-10-2003	Meitav et al.	US-2003/0113628 A1	06-19-2003	Paulot et al.	US-2003/0134191 A1	07-17-2003	Buckle et al.	US-2003/138697 A1	07-24-2003	Leising et al.	US-2003/0198868 A1	10-23-2003	Takeuchi et al.	US-6,641,953 B2	11-03-2003	Takeuchi et al.	US-6,667-132 B2	12-23-2003	Okochi et al.	US-2004/029005 A1	02-12-2004	Leising et al.	US-2004/0048148 A1	03-11-2004	Skinlo	US-2004/0053116 A1	03-18-2004	Skinlo	US-2004/0053119 A1	03-18-2004	Tsukamoto et al.	US-2004/0053118 A1	03-18-2004	Tsukamoto et al.	US-2004/0053117 A1	03-18-2004	Tsukamoto et al.	US-2004/0049908 A1	03-18-2004	Tsukamoto et al.	US-2004/0055146 A1	03-25-2004	Tsukamoto et al.	US-2004/0058236 A1	03-25-2004	Tsukamoto et al.
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					Application Number		[serial #]	
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					First Named Inventor		[inventor(s)]	
					Art Unit		[art unit]	
					Examiner Name		[examiner]	
Sheet	3	of	4	Attorney Docket number	[docket #]			

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	EP	01331683	A2	07-30-2003	Wilson Greatbatch Technologies, Inc.			X
	WO	03/096446	A1	11-20-2003	Hitachi Maxell Ltd.	X		X
	EP	1388905	A2	02-11-2004	Wilson Greatbatch Technologies, Inc.			X

**OTHER DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published
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	A. RAWLE, "Basic Principles of Particle Size Analysis," Malvern Instruments Limited, downloaded from <a href="http://www.malvern.co.uk/malvern/rw_malvern.nsf/vw_docref/IWTM%20particle%20size">http://www.malvern.co.uk/malvern/rw_malvern.nsf/vw_docref/IWTM%20particle%20size</a> , no date.
	Table 14.4 Cathode Materials Used in Lithium Primary Batteries
	Unpublished International Application PCT/US03/21343, Applicant Quallion LLC, Inventors Lam et al., International Filing Date 09 July 2003.
	Preliminary Amendment filed in USSN 10/666,873, Tsukamoto et al., filing date September 17, 2003.

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO				<u>Complete if Known</u>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	[serial #]
				Filing Date	[filing date]
				First Named Inventor	[inventor(s)]
				Art Unit	[art unit]
				Examiner Name	[examiner]
Sheet	4	of	4	Attorney Docket number	[docket #]
International Preliminary Examination Report, dated 30 October 2003, received in relation to Application No. PCT/US03/01334.					
Preliminary Amendment filed in USSN 10/478,920, Lam et al., filing date November 19, 2003.					
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Preliminary Amendment filed in USSN 10/484,474, Tsukamoto et al., filing date January 20, 2004.					
International Search Report, dated 01 Mar 2004, received in relation to Application No. PCT/US03/21343					

Examiner Signature		Date Considered	
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